

PODIATRISTS

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CHAPTER 220
PODIATRY EXAMINERS

[Prior to 5/18/88, see Health Department[470], Ch 139]

645—220.1(147,149) General requirements.

220.1(1) All applications for examination must be made upon the official forms supplied by the Board of Podiatry Examiners, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075.

Incomplete applications on file for two years will be destroyed. Application fees are not refundable.

220.1(2) The application forms fully completed per instructions on forms shall be filed with the board of podiatry examiners, with all required supporting documents and fee at least 30 days before the date of examination. Application requirements are as follows:

- a.* Submit a completed application form with official supporting documents and the appropriate application fee to the Iowa board of podiatry examiners;
- b.* Submit the appropriate examination fee, if taking the PMLexis in Iowa, directly to the National Board of Podiatric Medical Examiners;
- c.* Present with the application an official copy (8" x 11") of diploma and official transcript proving graduation from a college of podiatric medicine approved by the American Association of Colleges of Podiatric Medicine;
- d.* Pass all of Part 1 and Part 2 of the National Board of Podiatry Examiners Examination with substantiating documentation;
- e.* For any applicant who graduates from podiatric college on or after January 1, 1995, present documentation of successful completion of a one-year residency or preceptorship approved by the American Podiatric Medical Association's Council on Podiatric Medical Education or a college of podiatric medicine approved by the American Association of Colleges of Podiatric Medicine;
- f.* If licensed in another state, also present with the application an official copy of license and current renewal of license to practice podiatry issued by another state, and an official statement issued by a licensing board or department that no disciplinary action is pending against the applicant and the applicant does not have a suspended or revoked podiatry license in any other state.

220.1(3) Applicants who file incomplete applications will not be allowed to take the examination.

220.1(4) Applicants who graduated from podiatric college in 1961 or before that year, are currently licensed in another state and have practiced for the immediate 24 months prior to application may be exempted from the application requirement listed in 220.1(2) "c" based on their credentials and the discretion of the board.

220.1(5) The statements made on the application form and supporting documents shall be subscribed and sworn to by the applicant and attested under seal by a notary public.

220.1(6) A senior student expecting to graduate from an accredited podiatry college at the end of the spring term may be admitted to the state examinations held in June upon a presentation of a certificate from the dean of the college stating that the applicant has conformed to all the college requirements and will be granted a diploma at commencement. The examination papers will not be rated until the diploma has been received and verified by the board of podiatry examiners, department of public health.

220.1(7) No candidate shall under any circumstances enter the examination late unless excused by the examiners and no candidates shall leave the room after the distribution of the examination. Candidates shall not be permitted to leave the room during the examination unless accompanied by one of the examiners or a clerk endorsed by the board.

220.1(8) The candidates will not be permitted to communicate with each other during the examination, nor to have in their possession assistance of any kind. Any applicant detected in seeking or giving assistance during the examination will be dismissed and the candidate's examination canceled.

220.1(9) Applicants passing the PMLexis (Virginia) written examination given by Iowa within three years prior to making application in Iowa shall not be required to pay examination fees or take the examination. However, these applicants shall meet all other requirements for licensure, as outlined in subrule 220.1(2) and shall show official certification of grades and passing score as stated in subrule 220.1(5).

Applicants who passed the PMLexis more than three years prior to date of application in Iowa must submit verification of proof of podiatry practice for one of the last three years.

220.1(10) to 220.1(12) Rescinded IAB 7/12/89, effective 8/16/89.

220.1(13) Rescinded IAB 1/4/95, effective 2/8/95.

220.1(14) Rescinded IAB 7/12/89, effective 8/16/89.

220.1(15) A passing score as recommended by the administrators of the PMLexis (Virginia) examination will be required to pass the state-issued examination. This is not to be confused with requirements for passage of national boards.

220.1(16) Rescinded, effective 5/19/82.

220.1(17) At the conclusion of the examination each candidate will be required to sign the following: Declaration of Honorable Conduct in Taking Examination:

We, the undersigned, each declare that we are applicants for certificates from the Iowa Department of Public Health as certified to it by the State Board of Podiatry Examiners authorizing us to practice Podiatry in Iowa, and that we were present and took the examination held at ,
..... Iowa, on , 19

We further declare we neither received nor extended any aid to others nor resorted to any means whatsoever to secure the required ratings to enable us to pass.

We further declare that we did not see any of the sets of questions used at this examination until they were distributed by the examiners.

220.1(18) A podiatrist may use the prefix "Doctor" but shall add after the person's name the word "Podiatrist" or "DPM."

This rule is intended to implement Iowa Code sections 147.36 and 147.80.

645—220.2 Reserved.

645—220.3(147) Fees. All fees are nonrefundable. Checks should be made payable to the Iowa Board of Podiatry Examiners.

220.3(1) Application fee or reinstatement fee for a license to practice podiatry is \$100.

220.3(2) Rescinded IAB 8/2/95, effective 9/6/95.

220.3(3) Fee for renewal of license to practice podiatry for a biennial period is \$140.

220.3(4) Fee for a certified statement that a licensee is licensed in this state is \$10.

220.3(5) Fee for a replacement license is \$10.

220.3(6) Application for a temporary license is \$100. The annual renewal fee for a temporary license is \$15.

220.3(7) Penalty fee for failure to renew at required time is \$50.

220.3(8) Penalty fee for failure to complete continuing education requirements as provided in rule 220.101(272C) is \$50.

220.3(9) Penalty fee for failure to file the Report of Continuing Education Hours for License Renewal at the required time is \$25.

220.3(10) Fee for a returned check is \$15.

This rule is intended to implement Iowa Code sections 147.34, 147.76 and 147.80 and chapter 149.

645—220.4(147,149) Temporary license.

220.4(1) A temporary license may be issued for one year and at the discretion of the board may be annually renewed not to exceed two additional years.

220.4(2) Each applicant shall:

a. Submit a completed application form with official supporting documents and the accompanied fee of \$100.

b. Present with the application an official copy (8" x 11") of diploma and official transcript proving graduation from a college of podiatric medicine approved by the Council on Podiatric Medical Education (CPME) of the American Podiatric Medical Association.

c. Pass all of Part 1 and Part 2 of the National Board of Podiatry Examiners' examination with substantiating documentation.

d. Show good reason why a temporary podiatric license should be issued, by furnishing an affidavit by a licensed podiatrist, institution director, or dean of an approved podiatric college from this state, setting forth the facts supporting the need for issuance of said license, of which the following reasons shall qualify:

(1) Purchase or assumption of a podiatric practice.

(2) Aiding a licensed podiatrist, in the state of Iowa, because of the licensee's disability.

(3) Association with an Iowa-licensed podiatrist.

(4) Faculty member of a podiatry school in Iowa.

(5) Acceptance in a residency program approved by the Council on Podiatric Medical Education (CPME) of the American Podiatric Medical Association or a preceptorship program approved by a sponsoring accredited podiatry college.

e. Rescinded IAB 1/4/95, effective 2/8/95.

f. If licensed in another state, also present with the application an official copy of license and current renewal of license to practice podiatry issued by another state, and an official statement issued by a licensing board or department that no disciplinary action is pending against the applicant and the applicant does not have a suspended or revoked podiatry license in any other state.

Applicants must realize that the ultimate decision to issue a temporary license resides with the board, and a temporary license shall be surrendered if reason for issuance ceases to exist.

220.4(3) Applicants who graduated from podiatric college in 1961 or before that year, are currently licensed in another state and have practiced for the immediate 24 months prior to application may be exempted from the application requirement listed in 220.4(2) "*c*" based on their credentials and the discretion of the board.

220.4(4) The chairperson of the board of examiners may administer the oral examination and may authorize the issuance of a temporary certificate following conferral with and approval by a majority of the board members. Conferral and approval may be given by mail or telephone as well as by formal meeting of the board.

This rule is intended to implement Iowa Code sections 149.4 and 149.7.

645—220.5(514F) Utilization and cost control review.

220.5(1) The board shall establish U.C.C.R. (Utilization and Cost Control Review) committee(s). The name(s) of the committee(s) shall be on file with the board and available to the public. The designation of the committee(s) shall be reviewed annually.

220.5(2) Members of the U.C.C.R. committee shall:

- a. Hold a current license.
- b. Practice podiatry in the state of Iowa for a minimum of five years.
- c. Be actively involved in a podiatric practice during the term of appointment as a U.C.C.R. committee member.
- d. Not assist in the review or adjudication of claims in which the committee member may reasonably be presumed to have a conflict of interest.

220.5(3) Procedures for utilization and cost control review. A request for review may be made to the board by any person governed by the various chapters of Title XX of the Iowa Code, self-insurers for health care benefits to employees, other third-party payers, podiatry patients or licensees.

a. The maximum fee for service shall not exceed \$100 per case, which will be made payable by the patient directly to the U.C.C.R. committee. The committee shall make a yearly accounting to the board.

b. A request for service shall be submitted to the executive director of the U.C.C.R. committee on an approved submission form and shall be accompanied by four copies of all information. All references to identification and location of patient and doctor shall be deleted and prepared for blind review by the executive director of the U.C.C.R. committee. The information shall be forwarded to the U.C.C.R. committee.

c. The U.C.C.R. committee shall respond in writing to the parties involved with its findings and recommendations within 90 days. The committee shall review the appropriateness of levels of treatment and give an opinion as to the reasonableness of charges for diagnostic or treatment services rendered as requested. The U.C.C.R. committee shall submit a yearly report of their activities to the board.

220.5(4) Types of cases reviewed shall include:

a. Utilization.

- (1) Frequency of treatment.
 - (2) Amount of treatment.
 - (3) Necessity of service.
 - (4) Appropriateness of treatment.
- b. Usual and customary service.

220.5(5) Criteria for review may include, but are not limited to:

- a. Was diagnosis compatible and consistent with information?
- b. Were X-ray and other examination procedures adequate, or were they insufficient or nonrelated to history or diagnosis?
- c. Were clinical records adequate, complete, and of sufficient frequency?
- d. Was treatment consistent with diagnosis?
- e. Was treatment program consistent with scientific knowledge and academic and clinical training in accredited podiatric colleges?
- f. Were charges reasonable and customary for the service?

220.5(6) Members of the U.C.C.R. committee shall observe the requirements of confidentiality imposed by Iowa Code chapter 272C.

220.5(7) Action of the U.C.C.R. committee does not constitute an action of the board.

This rule is intended to implement Iowa Code chapter 514F.

645—220.6(139C) Preventing HIV and HBV transmission. Any licensed podiatrist shall comply with the recommendations for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures issued by the centers for disease control of the United States Department of Health and Human Services, or with the recommendations of the expert review panel established pursuant to Iowa Code section 139C.2(3) and applicable hospital protocols established pursuant to section 139C.2(1). Failure to comply will be grounds for disciplinary action.

This rule is intended to implement Iowa Code chapter 139C.

645—220.7(272C) License renewal. The biennial renewal period for a license to practice as a podiatrist shall extend from July 1 of each even-numbered year until June 30 of the next even-numbered year. An application and a continuing education report form for renewal of license to practice as a podiatrist shall be mailed to the licensee at least 60 days prior to the expiration of the license.

1. The licensee shall submit to the board office 30 days before licensure expiration the application and continuing education report form with the renewal fee as specified in rule 220.3(147).

2. Late renewal. If the renewal fee is received by the board within 30 days after the renewal expiration date, a late fee shall be charged. If the renewal fee is received more than 30 days after the renewal expiration date, the license shall be considered lapsed. Individuals who fail to submit the renewal application and completed documentation of continuing education hours shall be required to pay a late fee.

645—220.8(272C) Discipline. For all acts and offenses listed in this rule, the board may impose any of the disciplinary methods outlined in Iowa Code section 272C.3(2) “a” to “f” including the imposition of a civil penalty which shall not exceed \$1000. The board may discipline a licensee for any of the following reasons:

220.8(1) All grounds listed in Iowa Code section 147.55 which are:

- a. Fraud in procuring a license.
- b. Professional incompetency.
- c. Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of a profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.
- d. Habitual intoxication or addiction to the use of drugs.
- e. Conviction of a felony related to the profession of the licensee or the conviction of any felony that would affect the licensee’s ability to practice within a profession. A copy of the record of conviction or a plea of guilty shall be conclusive evidence.
- f. Fraud in representations as to skill or ability.
- g. Use of untruthful or improbable statements in advertisements.
- h. Willful or repeated violations of the provisions of Iowa Code chapter 147.

220.8(2) Violation of the rules promulgated by the board.

220.8(3) Personal disqualifications:

a. Mental or physical inability reasonably related to and adversely affecting the licensee’s ability to practice in a safe and competent manner.

b. Involuntary commitment for treatment of mental illness, drug addiction or alcoholism.

220.8(4) Practicing the profession while the license is suspended.

220.8(5) Suspension or revocation of license by another state.

220.8(6) Negligence by the licensee in the practice of the profession, which is a failure to exercise due care including negligent delegation to or supervision of employees or other individuals, whether or not injury results; or any conduct, practice or conditions which impair the ability to safely and skillfully practice the profession.

220.8(7) Prohibited acts consisting of the following:

a. Permitting an unlicensed employee or person under the licensee’s control to perform activities requiring a license.

b. Permitting another person to use the licensee’s license for any purpose.

c. Practice outside the scope of a license.

d. Obtaining, possessing, or attempting to obtain or possess a controlled substance without lawful authority; or selling, prescribing, giving away, or administering controlled substances for other than lawful therapeutic purposes.

e. Verbally or physically abusing patients.

220.8(8) Unethical business practices, consisting of any of the following:

- a. False or misleading advertising.
- b. Betrayal of a professional confidence.
- c. Falsifying patients' records.

220.8(9) Failure to report a change of name or address within 30 days after it occurs.

220.8(10) Submission of a false report of continuing education or failure to submit the biennial report of continuing education.

220.8(11) Failure to notify the board within 30 days after occurrence of any judgment or settlement of a malpractice claim or action.

220.8(12) Failure to comply with a subpoena issued by the board.

220.8(13) Failure to report to the board as provided in these rules any violation by another licensee of the reasons for disciplinary action as listed in this rule.

220.8(14) Failure to comply with these rules for preventing HIV and HBV transmission.

645—220.9 to 220.99 Reserved.

645—220.100(272C) Definitions. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.101(272C) Continuing education requirements. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.102(272C) Standards for approval. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.103(272C) Approval of sponsors, programs and activities. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.104(272C) Hearings. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.105 Rescinded IAB 7/12/89, effective 8/16/89.

645—220.106(272C) Attendance record report. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.107(272C) Disability or illness. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.108(272C) Exemptions for inactive practitioners. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.109(272C) Reinstatement of inactive practitioners. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.110 to 220.199 Reserved.

645—220.200(272C) Definitions. Rescinded IAB 2/21/01, effective 3/28/01.

645—220.201 to 220.211 Reserved.

645—220.212(272C) Discipline. Renumbered as 645—220.8(272C), IAB 2/21/01.

These rules are intended to implement Iowa Code section 272C.2.

[Filed prior to July 1, 1952]

[Filed 4/29/77, Notice 3/23/77—published 5/18/77, effective 6/22/77]

[Filed 5/12/78, Notice 11/16/77—published 5/31/78, effective 7/5/78]

[Filed 1/18/79, Notice 10/18/78—published 2/7/79, effective 4/1/79]

[Filed 3/18/82, Notice 1/20/82—published 4/14/82, effective 5/19/82]

[Filed 7/29/82, Notice 6/23/82—published 8/18/82, effective 9/22/82]

[Filed 11/30/83, Notice 9/14/83—published 12/21/83, effective 1/26/84]

[Filed emergency 5/18/84—published 6/6/84, effective 5/18/84]

[Filed 8/10/84, Notice 6/6/84—published 8/29/84, effective 10/3/84]

[Filed 11/15/84, Notice 8/29/84—published 12/5/84, effective 1/9/85]

[Filed 4/29/88, Notice 3/23/88—published 5/18/88, effective 6/22/88]

[Filed 6/23/89, Notice 4/19/89—published 7/12/89, effective 8/16/89]

[Filed 9/29/89, Notice 5/31/89—published 10/18/89, effective 11/22/89]

[Filed 6/22/90, Notice 4/4/90—published 7/11/90, effective 8/15/90]

[Filed 11/22/92, Notice 8/7/91—published 12/11/91, effective 1/15/92]

[Filed 3/13/92, Notice 12/25/91—published 4/1/92, effective 5/6/92]

[Filed 11/20/92, Notice 9/30/92—published 12/9/92, effective 1/13/93]

[Filed 4/23/93, Notice 12/9/92—published 5/12/93, effective 6/16/93]

[Filed 2/25/94, Notice 11/10/93—published 3/16/94, effective 4/20/94]

[Filed 12/15/94, Notice 8/17/94—published 1/4/95, effective 2/8/95]

[Filed 4/19/95, Notice 2/15/95—published 5/10/95, effective 6/14/95]

[Filed 7/14/95, Notice 5/10/95—published 8/2/95, effective 9/6/95]

[Filed 9/4/98, Notice 7/15/98—published 9/23/98, effective 10/28/98]

[Filed 5/28/99, Notice 2/24/99—published 6/16/99, effective 7/21/99]

[Filed 7/9/99, Notice 4/7/99—published 7/28/99, effective 9/1/99]

[Filed 2/1/01, Notice 11/1/00—published 2/21/01, effective 3/28/01]